

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
BEAUMONT DIVISION

EDWARD CHARLES HOLLAND §  
VS. § CIVIL ACTION NO. 1:06cv210  
CHARLES D. CARVER, ET AL. §

MEMORANDUM OPINION AND ORDER

Plaintiff Edward Charles Holland, an inmate confined at the Robertson Unit of the Texas Department of Criminal Justice, Correctional Institutions Division, proceeding *pro se*, brings this lawsuit pursuant to 42 U.S.C. § 1983.


## Discussion

On September 19, 2007, plaintiff filed a motion to voluntarily dismiss the above-styled action. Pursuant to Federal Rule of Civil Procedure 41(a), plaintiff is entitled to voluntarily dismiss his action prior to the service of adverse parties. As the defendants have not been served in this action, plaintiff's motion to dismiss should be granted.

## ORDER

For the foregoing reasons, plaintiff's motion to dismiss the action is hereby **GRANTED**. A final judgment will be entered dismissing this action pursuant to Fed. R. Civ. P. 41(a).

**SIGNED** this the **10** day of **October**, 2007.

  
Thad Heartfield  
United States District Judge